

# HOUSE BILL 797

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EMERGENCY BILL

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By: **Delegates Bates, Bartlett, Beitzel, Boteler, Eckardt, Elmore, Frank, Haddaway, Jenkins, Kach, Kipke, Krebs, McComas, Miller, Norman, O'Donnell, Shank, Smigiel, Sossi, Stocksdale, Stull, and Wood**

Introduced and read first time: February 9, 2010

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Early Voting – Delay of Implementation**

3 FOR the purpose of repealing certain provisions of law relating to early voting;  
4 reenacting certain provisions of law relating to early voting on a certain date;  
5 repealing a process to allow a voter in the State to vote in primary or general  
6 elections at early voting centers, instead of in the voter's assigned precinct on  
7 election day; repealing a requirement that each county have a specified number  
8 of early voting centers, based on the number of registered voters in the county;  
9 repealing a requirement that the State Board of Elections, in collaboration with  
10 the local board of elections in a county, designate the early voting polling  
11 centers in that county; repealing requirements that early voting centers be open  
12 for voting during a certain period and during certain hours; repealing a  
13 requirement that the State Board and the local boards take certain steps to  
14 inform voters about early voting and the location of early voting centers;  
15 repealing a requirement that the State Board adopt regulations and guidelines  
16 for the conduct of early voting; repealing a requirement that local boards pay an  
17 election judge for each early voting day that the election judge actually serves;  
18 repealing authorization for a voter to cast a provisional ballot at an early voting  
19 center; establishing a process to allow a voter in the State to vote in primary or  
20 general elections at early voting centers, instead of in the voter's assigned  
21 precinct on election day; requiring each county to have a specified number of  
22 early voting centers, based on the number of registered voters in the county;  
23 requiring the State Board of Elections, in collaboration with the local board of  
24 elections in a county, to designate the early voting polling centers in that  
25 county; requiring early voting centers to be open for voting during a certain  
26 period and during certain hours; requiring each early voting center to meet  
27 certain requirements; requiring the State Board and the local boards to take  
28 certain steps to inform voters about early voting and the location of early voting  
29 centers; making certain provisions of law applicable to early voting; requiring

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 the State Board to adopt regulations and guidelines for the conduct of early  
2 voting; requiring local boards to pay an election judge for each early voting day  
3 that the election judge actually serves; authorizing a voter to cast a provisional  
4 ballot at an early voting center; making conforming changes; providing for the  
5 effective dates of this Act; and generally relating to delaying the  
6 implementation of early voting.

7 BY repealing

8 Article – Election Law  
9 Section 1–101(x)  
10 Annotated Code of Maryland  
11 (2003 Volume and 2009 Supplement)

12 BY renumbering

13 Article – Election Law  
14 Section 1–101(y) through (ii), respectively  
15 to be Section 1–101(x) through (hh), respectively  
16 Annotated Code of Maryland  
17 (2003 Volume and 2009 Supplement)

18 BY adding to

19 Article – Election Law  
20 Section 1–101(ii)  
21 Annotated Code of Maryland  
22 (2003 Volume and 2009 Supplement)

23 BY repealing and reenacting, with amendments,

24 Article – Election Law  
25 Section 9–404, 10–101, 10–205, and 10–310(a)  
26 Annotated Code of Maryland  
27 (2003 Volume and 2009 Supplement)

28 BY repealing

29 Article – Election Law  
30 Section 10–301.1  
31 Annotated Code of Maryland  
32 (2003 Volume and 2009 Supplement)

33 BY repealing

34 Article – Election Law  
35 Section 1–101(ii)  
36 Annotated Code of Maryland  
37 (2003 Volume and 2009 Supplement)

38 BY renumbering

39 Article – Election Law  
40 Section 1–101(x) through (hh), respectively  
41 to be Section 1–101(y) through (ii), respectively

1 Annotated Code of Maryland  
2 (2003 Volume and 2009 Supplement)

3 BY adding to  
4 Article – Election Law  
5 Section 1–101(x)  
6 Annotated Code of Maryland  
7 (2003 Volume and 2009 Supplement)

8 BY repealing and reenacting, with amendments,  
9 Article – Election Law  
10 Section 9–404, 10–101, 10–205, and 10–310(a)  
11 Annotated Code of Maryland  
12 (2003 Volume and 2009 Supplement)  
13 (As enacted by Section 3 of this Act)

14 BY adding to  
15 Article – Election Law  
16 Section 10–301.1  
17 Annotated Code of Maryland  
18 (2003 Volume and 2009 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Election Law**

22 1–101.

23 [(x) “Election register” means the list of voters eligible to vote:

24 (1) in a precinct on election day; or

25 (2) in a county early voting center during early voting.]

26 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 1–101(y)  
27 through (ii), respectively, of Article – Election Law of the Annotated Code of Maryland  
28 be renumbered to be Section(s) 1–101(x) through (hh), respectively.

29 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
30 read as follows:

31 **Article – Election Law**

32 1–101.

1           **(II) “PRECINCT REGISTER” MEANS THE LIST OF VOTERS FOR A SINGLE**  
2 **PRECINCT.**

3 9–404.

4           (a) If an individual is eligible under subsection (b) of this section, the  
5 individual shall be issued and may cast a provisional ballot:

6                   (1) at a polling place on election day; **OR**

7                   (2) [at an early voting center during early voting; or

8                   (3)] at the local board office in the county where the individual resides  
9 after the close of registration and before the closing of the polls on election day.

10           (b) An individual is eligible to cast a provisional ballot if:

11                   (1) the individual declares in a written affirmation submitted with the  
12 provisional ballot that the individual is a registered voter in the State and is eligible to  
13 vote in that election; and

14                   (2) (i) the individual’s name does not appear on the [election]  
15 **PRECINCT** register;

16                               (ii) an election official asserts that the individual is not eligible  
17 to vote; or

18                               (iii) the individual does not have the necessary identification.

19           (c) In addition to the individuals who cast provisional ballots under  
20 subsections (a) and (b) of this section, any individual who appears to vote during a  
21 period covered by a court order or other order extending the time for closing the polls  
22 shall cast a provisional ballot. A provisional ballot cast under this subsection shall be  
23 separated and held apart from other provisional ballots cast by those not affected by  
24 the order.

25 10–101.

26           (a) (1) Each local board shall designate a polling place that meets the  
27 requirements of this subsection for each precinct in the county as established by the  
28 local board in accordance with Title 2 of this article.

29                   (2) Each polling place shall:

30                               (i) provide an environment that is suitable to the proper  
31 conduct of an election;

1 (ii) be located as conveniently as practicable for the majority of  
2 registered voters assigned to that polling place;

3 (iii) except as authorized in paragraph (4) of this subsection, be  
4 in a public building;

5 (iv) be in the precinct that it serves unless no suitable location  
6 for a polling place can be found within that precinct, in which case the board may  
7 establish the polling place in an adjacent precinct; and

8 (v) whenever practicable, be selected and arranged to avoid  
9 architectural and other barriers that impede access or voting by elderly and physically  
10 disabled voters.

11 (3) (i) The public official responsible for the use of any public  
12 building requested by a local board for a polling place shall make available to the local  
13 board, without charge, the space that is needed in the building for the proper conduct  
14 of an election.

15 (ii) Light, heat, and custodial and janitorial services for the  
16 space shall be provided to the local board without charge.

17 (4) (i) If suitable space in a public building is not available, a local  
18 board may pay a reasonable fee for the use of space in a privately owned building.

19 (ii) Except as provided in [subparagraphs (iii) and (iv)]  
20 **SUBPARAGRAPH (III)** of this paragraph, an election may not be held in any building  
21 or part of any building used or occupied by an establishment that holds an alcoholic  
22 beverages license.

23 (iii) An election may be held in a building that is owned and  
24 occupied by an establishment that holds an alcoholic beverages license if:

25 1. the local board determines that there is no suitable  
26 alternative place to hold an election;

27 2. the licensee agrees not to sell or dispense alcoholic  
28 beverages during the period beginning 2 hours before the polls open and ending 2  
29 hours after the polls close; and

30 3. where applicable, all ballots are removed from the  
31 polling place by the local board immediately following the election.

32 [(iv) An early voting center may be located in a building that is  
33 partially occupied by an establishment that holds an alcoholic beverages license if:

1                   1.     the State Board, in collaboration with a local board,  
2 determines that the building is a suitable site for an early voting center; and

3                   2.     the entrance to a licensee's establishment is at least  
4 100 feet from the entrance to the building that is closest to the part of the building  
5 where the early voting center is located.]

6                   (5)    If a polling place is located in a building owned or leased by a  
7 volunteer fire company or rescue squad, the volunteer fire company or rescue squad  
8 may require the local board to pay for the use of the space that is needed in the  
9 building for the proper conduct of any election.

10               (b)   (1)   (i)    In Baltimore City, public buildings shall be used for polling  
11 places to the greatest extent feasible.

12                       (ii)   For rental of privately owned polling places in Baltimore  
13 City, the local board shall pay an amount as determined in the ordinance of estimates,  
14 provided that the amount is uniform on a citywide basis.

15                   (2)    In Charles County, the local board may use private firehouses,  
16 private halls, and other buildings for polling places.

17                   (3)    In Montgomery County, the County Board of Education shall make  
18 available the space and custodial service as needed for the proper conduct of elections  
19 upon application by the local board.

20 10-205.

21               (a)    **[(1)]** A local board may fix the compensation of election judges within  
22 the limits authorized for this purpose by the county's governing body.

23                       **[(2)]** A local board shall pay an election judge for each election day and  
24 each early voting day that the election judge actually serves.]

25               (b)   (1)    In Allegany County, the compensation for each day actually served  
26 may not be less than:

27                       (i)     \$100 per day for each chief election judge; and

28                       (ii)    \$80 per day for every other election judge.

29                   (2)    (i)    In Baltimore City, the compensation for each election day  
30 **[or early voting day]** actually served shall be:

31                       1.     not less than \$200 per day for each chief election  
32 judge; and



1 refuses to serve on an election day [or on an early voting day], unless the local board  
2 excuses the election judge.

3 (7) (i) In Washington County, the compensation for each election  
4 day [or early voting day] actually served shall be:

5 1. \$175 per day for each chief election judge, plus a  
6 mileage allowance as determined by the Washington County Board; and

7 2. \$150 per day for every other election judge.

8 (ii) In Washington County, a chief election judge or election  
9 judge who successfully completes a course of instruction in poll working shall be  
10 eligible for additional compensation, if approved by the Washington County Board and  
11 provided for in the county budget.

12 [10-301.1.

13 (a) Except as provided under Title 9, Subtitle 3 of this article, during any  
14 regularly scheduled primary or general election a voter may vote:

15 (1) in the voter's assigned precinct on election day; or

16 (2) at an early voting center in the voter's county of residence on any  
17 early voting day in accordance with this section.

18 (b) (1) Each county shall have at least one early voting center established  
19 in the county as prescribed in this subsection.

20 (2) A county with fewer than 150,000 registered voters shall have one  
21 early voting center established in the county.

22 (3) A county with more than 150,000 but fewer than 300,000  
23 registered voters shall have three early voting centers established in the county.

24 (4) A county with more than 300,000 registered voters shall have five  
25 early voting centers established in the county.

26 (c) No later than 6 months before a primary election, the State Board, in  
27 collaboration with the local board in each county, shall designate each early voting  
28 center in that county.

29 (d) Each early voting center shall be open for voting as follows:

30 (1) for the 2010 gubernatorial primary and general elections:

1 (i) beginning the second Friday before a primary or general  
2 election through the Thursday before the elections, but excluding Sunday; and

3 (ii) during the hours between 10 a.m. and 8 p.m.; and

4 (2) for the 2012 presidential primary and general elections:

5 (i) beginning the second Saturday before a primary or general  
6 election through the Thursday before the elections; and

7 (ii) 1. during the hours between 10 a.m. and 8 p.m. on the  
8 Saturday and the Monday through the Thursday during the early voting period; and

9 2. during the hours between 12 noon and 6 p.m. on the  
10 Sunday during the early voting period.

11 (e) Each early voting center shall satisfy the requirements of § 10–101 of this  
12 title.

13 (f) Beginning 30 days prior to each early voting period the State Board and  
14 each local board shall undertake steps to inform the public about early voting and the  
15 location of early voting centers in each county, including:

16 (1) a series of public service media announcements;

17 (2) mailings to all registered voters in each county; and

18 (3) other measures as appropriate.

19 (g) Except as expressly provided in this section, any provision of this article  
20 that applies to voting on election day also applies to early voting.

21 (h) The State Board shall adopt regulations and guidelines in accordance  
22 with the requirements of this section for the conduct of early voting.]

23 10–310.

24 (a) For each individual who seeks to vote, an election judge, in accordance  
25 with instructions provided by the local board, shall:

26 (1) locate the individual's name in the [election] **PRECINCT** register  
27 and locate the preprinted voting authority card and then authorize the individual to  
28 vote a regular ballot;

29 (2) (i) if the individual's name is not found on the [election]  
30 **PRECINCT** register, search the inactive list and if the name is found, authorize the  
31 individual to vote a regular ballot; or

1 (ii) if the individual's name is not on the inactive list, refer the  
2 individual for provisional ballot voting under § 9–404 of this article;

3 (3) establish the identity of the voter by requesting the voter to state  
4 the month and day of the voter's birth and comparing the response to the information  
5 listed in the [election] **PRECINCT** register;

6 (4) (i) except if a voter's personal information has been deemed  
7 confidential by the local board, verify the address of the voter's residence; or

8 (ii) conduct an alternative verification as established by the  
9 State Board, if the voter's personal information has been deemed confidential by the  
10 local board;

11 (5) if any changes to the voting authority card are indicated by a voter,  
12 make the appropriate changes in information on the card or other appropriate form;  
13 and

14 (6) have the voter sign the voting authority card and either issue the  
15 voter a ballot or send the voter to a machine to vote.

16 SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
17 read as follows:

18 **Article – Election Law**

19 1–101.

20 [(ii) “Precinct register” means the list of voters for a single precinct.]

21 SECTION 5. AND BE IT FURTHER ENACTED, That Section(s) 1–101(x)  
22 through (hh), respectively, of Article – Election Law of the Annotated Code of  
23 Maryland be renumbered to be Section(s) 1–101(y) through (ii), respectively.

24 SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
25 read as follows:

26 **Article – Election Law**

27 1–101.

28 **(X) “ELECTION REGISTER” MEANS THE LIST OF VOTERS ELIGIBLE TO**  
29 **VOTE:**

30 **(1) IN A PRECINCT ON ELECTION DAY; OR**

1           **(2) IN A COUNTY EARLY VOTING CENTER DURING EARLY VOTING.**

2   9–404.

3           (a) If an individual is eligible under subsection (b) of this section, the  
4 individual shall be issued and may cast a provisional ballot:

5           (1) at a polling place on election day; [or]

6           **(2) AT AN EARLY VOTING CENTER DURING EARLY VOTING; OR**

7           **[(2)] (3)** at the local board office in the county where the individual  
8 resides after the close of registration and before the closing of the polls on election day.

9           (b) An individual is eligible to cast a provisional ballot if:

10           (1) the individual declares in a written affirmation submitted with the  
11 provisional ballot that the individual is a registered voter in the State and is eligible to  
12 vote in that election; and

13           (2) (i) the individual’s name does not appear on the [precinct]  
14 **ELECTION** register;

15                           (ii) an election official asserts that the individual is not eligible  
16 to vote; or

17                           (iii) the individual does not have the necessary identification.

18           (c) In addition to the individuals who cast provisional ballots under  
19 subsections (a) and (b) of this section, any individual who appears to vote during a  
20 period covered by a court order or other order extending the time for closing the polls  
21 shall cast a provisional ballot. A provisional ballot cast under this subsection shall be  
22 separated and held apart from other provisional ballots cast by those not affected by  
23 the order.

24   10–101.

25           (a) (1) Each local board shall designate a polling place that meets the  
26 requirements of this subsection for each precinct in the county as established by the  
27 local board in accordance with Title 2 of this article.

28           (2) Each polling place shall:

29                           (i) provide an environment that is suitable to the proper  
30 conduct of an election;

1 (ii) be located as conveniently as practicable for the majority of  
2 registered voters assigned to that polling place;

3 (iii) except as authorized in paragraph (4) of this subsection, be  
4 in a public building;

5 (iv) be in the precinct that it serves unless no suitable location  
6 for a polling place can be found within that precinct, in which case the board may  
7 establish the polling place in an adjacent precinct; and

8 (v) whenever practicable, be selected and arranged to avoid  
9 architectural and other barriers that impede access or voting by elderly and physically  
10 disabled voters.

11 (3) (i) The public official responsible for the use of any public  
12 building requested by a local board for a polling place shall make available to the local  
13 board, without charge, the space that is needed in the building for the proper conduct  
14 of an election.

15 (ii) Light, heat, and custodial and janitorial services for the  
16 space shall be provided to the local board without charge.

17 (4) (i) If suitable space in a public building is not available, a local  
18 board may pay a reasonable fee for the use of space in a privately owned building.

19 (ii) Except as provided in [subparagraph (iii)]  
20 **SUBPARAGRAPHS (III) AND (IV)** of this paragraph, an election may not be held in  
21 any building or part of any building used or occupied by an establishment that holds  
22 an alcoholic beverages license.

23 (iii) An election may be held in a building that is owned and  
24 occupied by an establishment that holds an alcoholic beverages license if:

25 1. the local board determines that there is no suitable  
26 alternative place to hold an election;

27 2. the licensee agrees not to sell or dispense alcoholic  
28 beverages during the period beginning 2 hours before the polls open and ending 2  
29 hours after the polls close; and

30 3. where applicable, all ballots are removed from the  
31 polling place by the local board immediately following the election.

32 **(IV) AN EARLY VOTING CENTER MAY BE LOCATED IN A**  
33 **BUILDING THAT IS PARTIALLY OCCUPIED BY AN ESTABLISHMENT THAT HOLDS**  
34 **AN ALCOHOLIC BEVERAGES LICENSE IF:**

1                   **1. THE STATE BOARD, IN COLLABORATION WITH A**  
2 **LOCAL BOARD, DETERMINES THAT THE BUILDING IS A SUITABLE SITE FOR AN**  
3 **EARLY VOTING CENTER; AND**

4                   **2. THE ENTRANCE TO A LICENSEE'S ESTABLISHMENT**  
5 **IS AT LEAST 100 FEET FROM THE ENTRANCE TO THE BUILDING THAT IS**  
6 **CLOSEST TO THE PART OF THE BUILDING WHERE THE EARLY VOTING CENTER IS**  
7 **LOCATED.**

8                   (5) If a polling place is located in a building owned or leased by a  
9 volunteer fire company or rescue squad, the volunteer fire company or rescue squad  
10 may require the local board to pay for the use of the space that is needed in the  
11 building for the proper conduct of any election.

12                   (b) (1) (i) In Baltimore City, public buildings shall be used for polling  
13 places to the greatest extent feasible.

14                   (ii) For rental of privately owned polling places in Baltimore  
15 City, the local board shall pay an amount as determined in the ordinance of estimates,  
16 provided that the amount is uniform on a citywide basis.

17                   (2) In Charles County, the local board may use private firehouses,  
18 private halls, and other buildings for polling places.

19                   (3) In Montgomery County, the County Board of Education shall make  
20 available the space and custodial service as needed for the proper conduct of elections  
21 upon application by the local board.

22 10-205.

23                   (a) **(1)** A local board may fix the compensation of election judges within  
24 the limits authorized for this purpose by the county's governing body.

25                   **(2) A LOCAL BOARD SHALL PAY AN ELECTION JUDGE FOR EACH**  
26 **ELECTION DAY AND EACH EARLY VOTING DAY THAT THE ELECTION JUDGE**  
27 **ACTUALLY SERVES.**

28                   (b) (1) In Allegany County, the compensation for each day actually served  
29 may not be less than:

30                   (i) \$100 per day for each chief election judge; and

31                   (ii) \$80 per day for every other election judge.

32                   (2) (i) In Baltimore City, the compensation for each election day  
33 **OR EARLY VOTING DAY** actually served shall be:



1                   2.     An election judge or alternate election judge may not  
2 receive the compensation authorized under this subparagraph if the election judge  
3 refuses to serve on an election day **OR ON AN EARLY VOTING DAY**, unless the local  
4 board excuses the election judge.

5                   (7)   (i)     In Washington County, the compensation for each election  
6 day **OR EARLY VOTING DAY** actually served shall be:

7                   1.     \$175 per day for each chief election judge, plus a  
8 mileage allowance as determined by the Washington County Board; and

9                   2.     \$150 per day for every other election judge.

10                  (ii)    In Washington County, a chief election judge or election  
11 judge who successfully completes a course of instruction in poll working shall be  
12 eligible for additional compensation, if approved by the Washington County Board and  
13 provided for in the county budget.

14 **10-301.1.**

15                  **(A)   EXCEPT AS PROVIDED UNDER TITLE 9, SUBTITLE 3 OF THIS**  
16 **ARTICLE, DURING ANY REGULARLY SCHEDULED PRIMARY OR GENERAL**  
17 **ELECTION A VOTER MAY VOTE:**

18                  **(1)   IN THE VOTER'S ASSIGNED PRECINCT ON ELECTION DAY; OR**

19                  **(2)   AT AN EARLY VOTING CENTER IN THE VOTER'S COUNTY OF**  
20 **RESIDENCE ON ANY EARLY VOTING DAY IN ACCORDANCE WITH THIS SECTION.**

21                  **(B)   (1)   EACH COUNTY SHALL HAVE AT LEAST ONE EARLY VOTING**  
22 **CENTER ESTABLISHED IN THE COUNTY AS PRESCRIBED IN THIS SUBSECTION.**

23                  **(2)   A COUNTY WITH FEWER THAN 150,000 REGISTERED VOTERS**  
24 **SHALL HAVE ONE EARLY VOTING CENTER ESTABLISHED IN THE COUNTY.**

25                  **(3)   A COUNTY WITH MORE THAN 150,000 BUT FEWER THAN**  
26 **300,000 REGISTERED VOTERS SHALL HAVE THREE EARLY VOTING CENTERS**  
27 **ESTABLISHED IN THE COUNTY.**

28                  **(4)   A COUNTY WITH MORE THAN 300,000 REGISTERED VOTERS**  
29 **SHALL HAVE FIVE EARLY VOTING CENTERS ESTABLISHED IN THE COUNTY.**

30                  **(C)   NO LATER THAN 6 MONTHS BEFORE A PRIMARY ELECTION, THE**  
31 **STATE BOARD, IN COLLABORATION WITH THE LOCAL BOARD IN EACH COUNTY,**  
32 **SHALL DESIGNATE EACH EARLY VOTING CENTER IN THAT COUNTY.**

1           **(D) EACH EARLY VOTING CENTER SHALL BE OPEN FOR VOTING FOR**  
2 **THE 2012 PRESIDENTIAL PRIMARY AND GENERAL ELECTIONS:**

3                   **(1) BEGINNING THE SECOND SATURDAY BEFORE A PRIMARY OR**  
4 **GENERAL ELECTION THROUGH THE THURSDAY BEFORE THE ELECTIONS; AND**

5                   **(2) (I) DURING THE HOURS BETWEEN 10 A.M. AND 8 P.M. ON**  
6 **THE SATURDAY AND THE MONDAY THROUGH THE THURSDAY DURING THE**  
7 **EARLY VOTING PERIOD; AND**

8                   **(II) DURING THE HOURS BETWEEN 12 NOON AND 6 P.M. ON**  
9 **THE SUNDAY DURING THE EARLY VOTING PERIOD.**

10           **(E) EACH EARLY VOTING CENTER SHALL SATISFY THE REQUIREMENTS**  
11 **OF § 10–101 OF THIS TITLE.**

12           **(F) BEGINNING 30 DAYS BEFORE EACH EARLY VOTING PERIOD THE**  
13 **STATE BOARD AND EACH LOCAL BOARD SHALL UNDERTAKE STEPS TO INFORM**  
14 **THE PUBLIC ABOUT EARLY VOTING AND THE LOCATION OF EARLY VOTING**  
15 **CENTERS IN EACH COUNTY, INCLUDING:**

16                   **(1) A SERIES OF PUBLIC SERVICE MEDIA ANNOUNCEMENTS;**

17                   **(2) MAILINGS TO ALL REGISTERED VOTERS IN EACH COUNTY; AND**

18                   **(3) OTHER MEASURES AS APPROPRIATE.**

19           **(G) EXCEPT AS EXPRESSLY PROVIDED IN THIS SECTION, ANY**  
20 **PROVISION OF THIS ARTICLE THAT APPLIES TO VOTING ON ELECTION DAY ALSO**  
21 **APPLIES TO EARLY VOTING.**

22           **(H) THE STATE BOARD SHALL ADOPT REGULATIONS AND GUIDELINES**  
23 **IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION FOR THE**  
24 **CONDUCT OF EARLY VOTING.**

25 10–310.

26           **(a) For each individual who seeks to vote, an election judge, in accordance**  
27 **with instructions provided by the local board, shall:**

28                   **(1) locate the individual's name in the [precinct] ELECTION register**  
29 **and locate the preprinted voting authority card and then authorize the individual to**  
30 **vote a regular ballot;**

1                   (2)   (i)   if the individual's name is not found on the [precinct]  
2 **ELECTION** register, search the inactive list and if the name is found, authorize the  
3 individual to vote a regular ballot; or

4                   (ii)   if the individual's name is not on the inactive list, refer the  
5 individual for provisional ballot voting under § 9-404 of this article;

6                   (3)   establish the identity of the voter by requesting the voter to state  
7 the month and day of the voter's birth and comparing the response to the information  
8 listed in the [precinct] **ELECTION** register;

9                   (4)   (i)   except if a voter's personal information has been deemed  
10 confidential by the local board, verify the address of the voter's residence; or

11                   (ii)   conduct an alternative verification as established by the  
12 State Board, if the voter's personal information has been deemed confidential by the  
13 local board;

14                   (5)   if any changes to the voting authority card are indicated by a voter,  
15 make the appropriate changes in information on the card or other appropriate form;  
16 and

17                   (6)   have the voter sign the voting authority card and either issue the  
18 voter a ballot or send the voter to a machine to vote.

19                   SECTION 7. AND BE IT FURTHER ENACTED, That Sections 4, 5, and 6 of  
20 this Act shall take effect January 1, 2012.

21                   SECTION 8. AND BE IT FURTHER ENACTED, That this Act is an emergency  
22 measure, is necessary for the immediate preservation of the public health or safety,  
23 has been passed by a yea and nay vote supported by three-fifths of all the members  
24 elected to each of the two Houses of the General Assembly, and, except as provided in  
25 Section 7 of this Act, shall take effect from the date it is enacted.